

## ORDINANCE NO. 2020-06

**AN ORDINANCE OF THE VILLAGE OF KEY BISCAIYNE, FLORIDA, AMENDING SECTION 2-251, "CREATION, COMPOSITION, AND QUALIFICATIONS" RELATING TO PARKS AND OPEN SPACE ADVISORY BOARD MEMBER QUALIFICATIONS; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; PROVIDING FOR CONFLICTS; AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, the Village of Key Biscayne (the "Village") Council desires to amend Section 2-251, "Creation, composition, and qualifications" of the Code of Key Biscayne, Florida (the "Code") to modify the Parks and Open Space Advisory Board qualification requirements relating to non-residents; and

**WHEREAS**, the Village Council finds that adoption of this Ordinance is in the best interest and welfare of the Village and its residents.

**NOW, THEREFORE, IT IS HEREBY ORDAINED BY THE VILLAGE COUNCIL OF THE VILLAGE OF KEY BISCAIYNE, FLORIDA, AS FOLLOWS:<sup>1</sup>**

**Section 1. Recitals.** That each of the above recitals are true and correct and incorporated herein by this reference.

**Section 2. Amending Section 2-251, "Creation, composition, and qualifications" of the Village Code.** That Section 2-251, "Creation, composition, and qualifications" of the Code of Key Biscayne, Florida, is hereby amended to read as follows:

### CHAPTER 2 – ADMINISTRATION

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#### ARTICLE XIX. – PARKS AND OPEN SPACE ADVISORY BOARD

Sec. 2-251. - Creation, composition, and qualifications.

- (a) In accordance with Section 2-10 of the Village Code, there is hereby created and established the Village of Key Biscayne Parks and Open Space Advisory Board (the "board"). The board shall be composed of no more than seven members appointed by the Mayor, with the approval of the council. A Village Councilmember may serve on the board as an ex officio, non-voting member.
- (b) All board members shall serve at the pleasure of the Village Council as provided by Village Code Section 2-10.
- (c) Except for the initial board, each member of the board shall be appointed to a term of two years. For the initial board, five members shall be appointed for a term of two years and four

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<sup>1</sup> Coding: ~~Strikethrough words~~ are deletions to the existing words. Underlined words are additions to the existing words. Changes between first and second reading are indicated with **highlighted double-strikethrough** and double underline.

members shall be appointed for a term of one year, as determined by the Mayor with the approval of the Village Council.

(d) Members of the board shall serve without compensation and shall not be reimbursed for travel, mileage, or per diem expenses.

(e) Members of the board are not required to be residents of the Village.

(f) ~~(e)~~ In the event of the resignation or removal of any member of the board, the Mayor shall appoint a person to fill the vacancy on the board for the unexpired portion of the term of the member vacating such office, subject to approval of the Village Council.

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**Section 3. Severability.** That the provisions of this Ordinance are declared to be severable and if any section, sentence, clause or phrase of this Ordinance shall for any reason be held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining sections, sentences, clauses, and phrases of this Ordinance but they shall remain in effect, it being the legislative intent that this Ordinance shall stand notwithstanding the invalidity of any part.

**Section 4. Codification.** That it is the intention of the Village Council and it is hereby ordained that the provisions of this Ordinance shall become and be made a part of the Village's Code of Ordinances, and that the sections of this Ordinance may be renumbered or relettered to accomplish such intentions, and that the word Ordinance shall be changed to Section or other appropriate word.

**Section 5. Conflicts.** That all ordinances or parts of ordinances, resolutions or parts of resolutions, in conflict herewith, are repealed to the extent of such conflict.

**Section 6. Effective Date.** That this Ordinance shall become effective immediately upon final adoption on second reading.

PASSED on first reading on the 27th day of October, 2020.

PASSED AND ADOPTED on second reading on the 17th day of November, 2020.

ATTEST:

Joelyn B. Koch  
JOCELYN B. KOCH  
VILLAGE CLERK

Michael W. Davey  
MICHAEL W. DAVEY, MAYOR



APPROVED AS TO FORM AND LEGAL SUFFICIENCY:

A handwritten signature in blue ink, appearing to read "Charles F. Friedman".

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WEISS SEROTA HELFMAN COLE & BIERMAN, P.L.  
VILLAGE ATTORNEY

## MIAMI DAILY BUSINESS REVIEW

Published Daily except Saturday, Sunday and  
Legal Holidays  
Miami, Miami-Dade County, Florida

### STATE OF FLORIDA COUNTY OF MIAMI-DADE:

Before the undersigned authority personally appeared GUILLERMO GARCIA, who on oath says that he or she is the DIRECTOR OF OPERATIONS, Legal Notices of the Miami Daily Business Review f/k/a Miami Review, a daily (except Saturday, Sunday and Legal Holidays) newspaper, published at Miami in Miami-Dade County, Florida; that the attached copy of advertisement, being a Legal Advertisement of Notice in the matter of

VILLAGE OF KEY BISCAYNE - ORDINANCES - NOV. 17, 2020

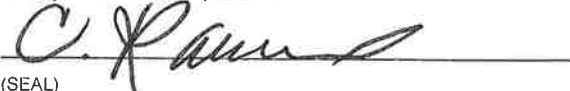
in the XXXX Court,  
was published in said newspaper in the issues of

11/06/2020

Affiant further says that the said Miami Daily Business Review is a newspaper published at Miami, in said Miami-Dade County, Florida and that the said newspaper has heretofore been continuously published in said Miami-Dade County, Florida each day (except Saturday, Sunday and Legal Holidays) and has been entered as second class mail matter at the post office in Miami in said Miami-Dade County, Florida, for a period of one year next preceding the first publication of the attached copy of advertisement; and affiant further says that he or she has neither paid nor promised any person, firm or corporation any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in the said newspaper.



Sworn to and subscribed before me this  
6 day of NOVEMBER, A.D. 2020



(SEAL)

GUILLERMO GARCIA personally known to me



### VILLAGE OF KEY BISCAYNE OFFICE OF THE VILLAGE CLERK PUBLIC NOTICE

Notice is hereby given that the following ordinances will be considered on Second Reading by the Village Council of the Village of Key Biscayne at a meeting to be held on Tuesday, November, 17, 2020 at 6:00 p.m., in the Council Chamber, located at 560 Crandon Boulevard, Key Biscayne, Florida.

**AN ORDINANCE OF THE VILLAGE OF KEY BISCAYNE, FLORIDA AUTHORIZING THE ISSUANCE OF NOT EXCEEDING \$11,300,000 OF CAPITAL IMPROVEMENT REVENUE REFUNDING BONDS OF THE VILLAGE OF KEY BISCAYNE, FLORIDA, FOR THE PURPOSE OF REFUNDING SEVERAL SERIES OF OUTSTANDING BONDS IN ORDER TO ACHIEVE DEBT SERVICE SAVINGS; PROVIDING FOR A SUPPLEMENTAL RESOLUTION SETTING FORTH THE DETAILS OF SAID BONDS; AUTHORIZING THE VILLAGE MANAGER TO NEGOTIATE WITH BANKS FOR PURCHASE OF THE BONDS; AND PROVIDING AN EFFECTIVE DATE.**

**AN ORDINANCE OF THE VILLAGE OF KEY BISCAYNE, FLORIDA, AMENDING SECTION 2-251, "CREATION, COMPOSITION, AND QUALIFICATIONS" RELATING TO PARKS AND OPEN SPACE ADVISORY BOARD MEMBER QUALIFICATIONS; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; PROVIDING FOR CONFLICTS; AND PROVIDING FOR AN EFFECTIVE DATE.**

The proposed ordinances may be inspected by the public at the Office of the Village Clerk. **Any person wishing to address the Village Council on any item at this Public Hearing may call (305) 365-7569, Zoom Meeting ID: 231 627 8415 and be heard with respect to the proposed Ordinances.**

In accordance with the Americans With Disabilities Act of 1990, all persons who are disabled and who need special accommodations to participate in this proceeding because of that disability should contact the Office of the Village Clerk, 88 West McIntyre Street, Suite 220, Key Biscayne, Florida 33149, telephone number (305) 365-5506, not later than two business days prior to such proceeding.

Should any person desire to appeal any decision of the Village Council with respect to any matter to be considered at this meeting, that person shall insure that a verbatim record of the proceedings is made including all testimony and evidence upon which any appeal may be based (F.S. 286.0105).

Comments of any interested party relative to this matter may be submitted in writing via email to [publiccomments@keybiscayne.fl.gov](mailto:publiccomments@keybiscayne.fl.gov).

Jocelyn B. Koch  
Village Clerk  
20-55/0000497376M